

The Honorable Marsha J. Pechman

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

**NORTHWEST ENVIRONMENTAL
ADVOCATES**, an Oregon non-profit
corporation,

Plaintiff,

v.

**UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY**,

Defendant.

NO. 20-cv-01362-MJP

**SECOND DECLARATION OF LIA
COMERFORD**

1 I, LIA COMERFORD, declare the following:

2 1. I am one of the attorneys representing Northwest Environmental Advocates in this
3 litigation.

4 2. Attached to this declaration as Exhibit A is a true and correct copy of EPA's April
5 30, 2013 letter denying the petition at issue in the case *WildEarth Guardians v. EPA*, Case No. 13-
6 1212 (D.C. Cir. June 27, 2014). Also included in the exhibit are two additional documents filed in
7 that case as part of the Joint Appendix regarding EPA's Office of Air Quality Planning and
8 Standard's budget and staff information and workload. I retrieved these documents from the
9 publicly-available docket for this case.
10

11 3. Attached to this declaration as Exhibit B is a true and correct copy of the U.S. Food
12 and Drug Administration's August 28, 2013 letter denying the petition at issue in the case
13 *Compassion Over Killing v. FDA*, Case No. 3:13-cv-01385 (N.D. Cal. Mar. 28, 2013). I retrieved
14 this document from the publicly-available docket for this case.
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16 4. Attached to this declaration as Exhibit C is a true and correct copy of EPA's July
17 29, 2011 letter denying the petition at issue in the case *Gulf Restoration Network v. Jackson*, Case
18 No. 2:12-CV-00677 (E.D. La. Mar. 3, 2012). I retrieved this document from the publicly-available
19 docket for this case.
20

21 5. Attached to this declaration as Exhibit D is a true and correct copy of EPA's March
22 2011 Framework Memo titled "Working in Partnership with States to Address Phosphorus and
23 Nitrogen Pollution through Use of a Framework for State Nutrient Reductions." I retrieved this
24 document from the publicly-available docket for the *Gulf Restoration Network v. Jackson* case,
25 *see supra* ¶4.
26

6. Attached to this declaration as Exhibit E is a true and correct copy of the

1 Washington Department of Ecology's Surface Water Quality Standards Triennial Review Results-
2 Five-Year Plan (August 2011). I retrieved this document via a hyperlink included in the attachment
3 to EPA's motion for summary judgment. *See* Dkt. 54-2 at 5. The hyperlink is:
4 <https://ecology.wa.gov/DOE/files/37/3761607d-3390-418a-8684-118c959fc676.pdf> (last visited
5 Oct. 7, 2021).
6

7 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the
8 United States of America that the foregoing is true and correct.
9

10 Executed this 8th day of October, 2021.
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